



April 2, 2018

Felicia Marcus
Chair
State Water Resources Control Board
1001 I St., 24th Floor
Sacramento, CA 95814

RE: 03/20/18 BOARD MEETING – ITEM #5 Update regarding the Status of Phase 1 of the SSMP

Dear State Water Resources Control Board:

On behalf of Audubon California, Defenders of Wildlife, Pacific Institute, and Sierra Club, we write to thank you for including the Salton Sea update at the March 20th Board meeting and for requesting greater specificity from the Natural Resources Agency (“Agency”) in future updates. We also appreciate your request for another update within the next six months. Like you, we were troubled by the Agency’s evident lack of urgency, demonstrated by the Assistant Secretary’s discussion of combining projects, which “might delay things.” We are well past the time when additional delays should be contemplated.

While we were encouraged that the Assistant Secretary referenced some of the questions from our March 15 comment letter (attached) in his update, many of those questions were not answered. For example, while we learned that the SSMP goals will be included in a revised 10-Year Plan in June, we’re still not clear what the program goals actually are, nor do we know the SSMP’s specific objectives, beyond achieving the milestones in Order WR 2017-0134. We are hopeful that the revised 10-Year Plan will offer a comprehensive vision for the SSMP, clearly indicating how the five identified project areas integrate with one another and complement IID’s on-going dust control efforts, and that the revised plan also includes a detailed financial plan, with available and expected funding sources, capital, staffing, and O&M costs, by year. That is, a clear programmatic document. ***We ask the Board to document its expectations for the revised 10-Year Plan in a letter to the Assistant Secretary this month.***

Although the legislature has repeatedly stated its intent to “[r]estore the long-term stable aquatic and shoreline habitat for fish and wildlife that depend on the Salton Sea” (Fish & Game Code §2931 and §2940) and the governor’s Salton Sea Task Force Agency Actions in October, 2015 called for the Natural Resources Agency to “**Accelerate project implementation and delivery**” (“The state will work with Salton Sea, Colorado River partners to accelerate planning, state and federal permitting and construction”), state officials still have not prioritized the completion of needed agreements. The failure to finalize the necessary

easements, indemnification, and reimbursement agreements for the Species Conservation Habitat project – a project initiated ten years ago – does not bode well for the achievement of the milestones in Order WR 2017-0134. In his public comments, Kevin Kelley noted that IID would be open to outside mediation, to resolve the outstanding issues delaying these agreements. ***We encourage the Board to set a near-term deadline for the Natural Resources Agency and IID to execute these agreements.*** If the Agency and IID fail to execute the necessary agreements by this deadline, the Board should recommend that parties go to mediation. ***We stand ready to provide an independent mediator to facilitate the completion of these agreements.***

The Assistant Secretary's comments strongly suggested that the SSMP will fall far short of the first, 500 acre annual obligation in Order WR 2017-0134, potentially creating significant embarrassment for the next state Administration at the Board's March 2019 Salton Sea update. Given the near-certainty of this annual milestone shortfall, ***we encourage the Board to request that the Agency clearly describe this expected deficiency at the update later this year, and provide a plan to cure the deficiency by "accelerat[ing] project implementation and delivery."*** We are not suggesting that Order WR 2017-0134 itself be changed in any way. Instead, we highlight this expected deficiency and urge the Board to be proactive, as it continues to monitor and assess the SSMP.

Thank you for your continued oversight of the SSMP and consideration of these requests.

Sincerely,



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Pacific Institute



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California Program Director
Defenders of Wildlife



Michael Lynes
Director of Public Policy
Audubon California



Kyle Jones
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Sierra Club California

Attachment: March 15 comment letter

Cc: Bruce Wilcox, CNRA
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